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*Counsel for the Circuit City Stores, Inc.  
Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	Chapter 11
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	Case No. 08-35653-KRH
Debtors.	(Jointly Administered)

**NOTICE OF SUBSTANTIVE HEARING**  
**(Liquidating Trust's Fifteenth and Sixty-Fourth**  
**Omnibus Objections to Claim Numbers 9734 and 9413)**  
**(Claimants – Bank of America, N.A. (“BANA”), successor by merger to LaSalle Bank N.A.**  
**(f/k/a LaSalle National Bank), as Trustee for the Registered Holders of GMACCM**  
**Mortgage Pass-Through Certificates, Series 1997-C1 and CC Independence, LLC (“CCI”))**

PLEASE TAKE NOTICE that Circuit City Stores, Inc. Liquidating Trust (the “Trust”), by counsel, of the above referenced estates of Circuit City Stores, Inc. *et al.* (collectively, the “Debtors”) will seek to have the Court (a) reduce and allow claim number 9734 (the “GUC Claim”) as a general unsecured claim in the amount of \$718,269.82, which amount was negotiated with Capmark Finance, Inc. (“Capmark”), on behalf of BANA, with all other amounts disallowed, (b) expunge claim number 9413 held by CCI, and (c) determine whether BANA or CCI is the proper holder of the GUC Claim. Claim numbers 9734 and 9413 are further identified in the *Liquidating Trustee's Fifteenth and Sixty-Fourth Omnibus*

***Objections to Claims*** (the “Claim Objection”). Docket Nos. 10053 and 12246. The relief sought as identified herein is based upon information received from you in response to the Claim Objection and/or the Debtors’ books and records.

PLEASE TAKE FURTHER NOTICE THAT the Court will hold a hearing and receive evidence on the Claim Objection on **April 5, 2017 at 2:00 p.m.**, (or such time thereafter as the matter may be heard) and the undersigned will appear before The Honorable Kevin R. Huennekens, United States Bankruptcy Judge, in Room 5000, of the United States Courthouse, 701 E. Broad Street Richmond, Virginia 23219.

PLEASE TAKE FURTHER NOTICE THAT the undersigned will present evidence, if necessary, on **April 5, 2017 at 2:00 p.m.**, seeking to have the Court (a) reduce and allow the GUC Claim in the amount of \$718,269.82, which amount was negotiated with Capmark, on behalf of BANA, with all other amounts disallowed, (b) expunge claim number 9413 held by CCI, and (c) determine whether BANA or CCI is the proper holder of the GUC Claim.

PLEASE TAKE FURTHER NOTICE THAT if you do not want the Court to grant the relief described herein, **you must (1) on or before March 31, 2017, file a (A) notice of your intent to attend the hearing and (B) summary of the position you will advocate at the hearing with the Court at:**

Clerk of the Bankruptcy Court  
United States Bankruptcy Court  
701 East Broad Street - Room 4000  
Richmond, Virginia 23219

**and (2) attend the hearing on April 5, 2017 at 2:00 p.m.**

PLEASE GOVERN YOURSELVES ACCORDINGLY.

Dated: March 14 , 2017

/s/ Paula S. Beran

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*Counsel for the Circuit City Stores, Inc.*

*Liquidating Trust*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Substantive Hearing was served on March 14, 2017 via electronic delivery to all of the parties receiving ECF notice in this bankruptcy case and via first-class mail, postage prepaid, on the following:

Bank of America National Association  
Successor By Merger  
to LaSalle Bank National Association fka  
LaSalle National Bank  
Peyton Inge  
c/o Capmark Finance Inc  
700 N Pearl St Ste 2200  
Dallas, TX 75201

Robert Edwards, Esq.  
Polsinelli PC  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112

CC Lafayette LLC  
c/o Eric J. Rietz, Esq.  
Vedder Price P.C.  
222 N. LaSalle Street, Ste 2600  
Chicago, IL 60601

Eric Rietz: ejrietz@gmail.com  
Joel Rietz: buyland7@yahoo.com

CC Independence LLC  
Attn: Eric J. Rietz, Esq.  
c/o Priscilla Reitz  
1355 Lemond Road  
Owatonna, MN 55060

Berkadia Commercial Mortgage, LLC  
successor-in-interest to Capmark Finance,  
Inc., on behalf of Bank of America, N.A., as  
successor by merger to LaSalle Bank, N.A.  
f/k/a LaSalle National  
c/o Bryan Cave LLP  
Attn: Keitha M. Wright, Esq.  
2200 Ross Avenue, Suite 3300  
Dallas, TX 75201

Capmark Finance, Inc. on behalf of Bank of  
America, N.A.  
c/o Philip J. Meitl, Esq.  
Nikki Ott, Esq.  
Bryan Cave LLP  
1155 F Street NW, Suite 700  
Washington, DC 20004

/s/ Paula S. Beran  
Paula S. Beran (VA Bar No. 34679)